



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas Szolyga, Jean-Paul Moiroux, Yancy Chen  
 Title: **STORAGE CAPACITY INDICATOR FOR REMOVABLE MASS STORAGE DEVICE**  
 Serial Number: 10/732,774  
 Filing Date: December 9, 2003  
 Examiner/Unit: Robert Borkowski/2182  
 Attorney Docket No.: 200312966-1 (1964-062-03)

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class Mail in an envelope addressed to:

MS Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

on this 27<sup>th</sup> day of APRIL 2006.

  
 Stephanie Cox

## DECLARATION PURSUANT TO 37 C.F.R. § 1.131

TO THE COMMISSIONER FOR PATENTS:

This declaration establishes the inventors' conception of the invention in the United States on a date before 3 June 2003, which is the filing date of U.S. Patent Application Publication 2004/0042761 (Miyazaki), and the inventors' diligence in constructively reducing to practice the invention conceived of before 3 June 2003.

We, Thomas Szolyga, Jean-Paul Moiroux and Yancy Chen, hereby declare the following:

- 1) We are the sole inventors of the invention described and claimed in U.S. Patent Application, Serial No. 10/732,774, which was filed on 9 December 2003. Before 3 June 2003 and in the United States, we conceived of a mass storage drive for reading data from and writing data to a storage medium having an overall storage capacity. Specifically, we conceived of a mass storage drive for reading data from and writing data to a storage medium having an overall storage capacity; the mass storage drive having the features of claim 26, as originally filed in the response dated 17 October 2005 and now currently amended. This mass storage drive included a capacity indicator operable to display at least one of the following: a used storage capacity of the storage medium, a free storage capacity of the storage medium, or both, the free and the used storage capacities of the storage medium; and a panel on which the capacity indicator was positioned.
- 2) Before 3 June 2003, we submitted to our corporate patent department, according to normal corporate procedures, an invention disclosure covering the conceived mass storage drive. Exhibit 1 includes copies of pages of the invention disclosure that we submitted before 3 June 2003. The copies included in Exhibit 1 are true and have had information redacted.
- 3) Exhibit 1 shows a schematic diagram of an embodiment of a modular removable mass storage drive that corresponds to the embodiment of a removable mass storage drive shown in FIG. 2 (Exhibit 2) of the patent application. Specifically, the schematic diagram in Exhibit 1 shows a mass storage drive having a storage medium and a capacity indicator. Exhibit 1 also includes a schematic diagram of an array of removable mass storage drives each corresponding to the embodiment of a removable mass storage drive shown in FIG. 2 of the patent application. Specifically, the schematic diagram of an array of removable mass storage drives shows a mass storage drive that includes a panel.
- 4) Exhibit 1 shows expressly or impliedly each and every element of at least claim 26 as originally filed in the response dated 17 October 2005 and now currently amended. The schematic diagram of a removable mass storage drive shows a mass storage drive for reading data from and writing data to a storage medium having an overall storage capacity, the drive comprising a capacity indicator operable to display at least one

of the following: a used storage capacity of the storage medium, a free storage capacity of the storage medium, or both, the free and the used storage capacities of the storage medium. The schematic diagram of an array of removable mass storage drives shows expressly a panel of a mass storage drive.

5) From before 03 June 2003 to 25 September 2003, the invention disclosure, which we submitted to our corporate patent department and which covered the conceived mass storage drive, was prepared for release to our patent attorney. On or about 25 September 2003, as shown in Exhibit 3, our corporate patent department sent our invention disclosure to our patent attorney. According to our patent attorney, Exhibit 3 is a true copy of correspondence between our corporate patent department and our patent attorney, and has had information redacted. On 08 and 09 October 2003, as shown in Exhibit 4, our patent attorney sent us a first draft of the patent application for our review. Exhibit 4 is a true copy of correspondence between us and our patent attorney, and has had information redacted. Within the next week we reviewed the first draft, and, as shown in Exhibit 5, on 10 and 14 October 2003 we provided our comments to our patent attorney. Exhibit 5 is a true copy of correspondence between us and our patent attorney, and has had information redacted. On 29 October 2003, as shown in Exhibit 6, our patent attorney sent us a final draft of the application, along with a Declaration and Power of Attorney. Exhibit 6 is a true copy of correspondence between us and our patent attorney, and has had information redacted. During the next month, we reviewed and approved the final draft, and executed the Declaration and Power of Attorney. On or about 02 December 2003, as shown in Exhibit 7, we sent the approved draft and executed Declaration to our patent attorney. Exhibit 7 is a true copy of correspondence between us and our patent attorney, and has had information redacted. Our patent attorney then filed the approved application and Declaration on 09 December 2003.

6) We further declare that all statements made herein of our own knowledge are true; that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like, if so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Thomas Szolyga  
Full Name of Inventor

United States of America  
Citizenship

20603 Carmel Ave, Saratoga CA 95070  
Residence

  
Inventor's Signature

4/13/06  
Date

Jean-Paul Moiroux  
Full Name of Inventor

France  
Citizenship

1242 HERITAGE CT LOS ALTOS CA 94024  
Residence

  
Inventor's Signature

4/25/06  
Date

Yancy Chen  
Full Name of Inventor

Taiwan  
Citizenship

649 GINDEN DRIVE, CAMPBELL, CA 95008  
Residence

  
Inventor's Signature

4/12/2006  
Date

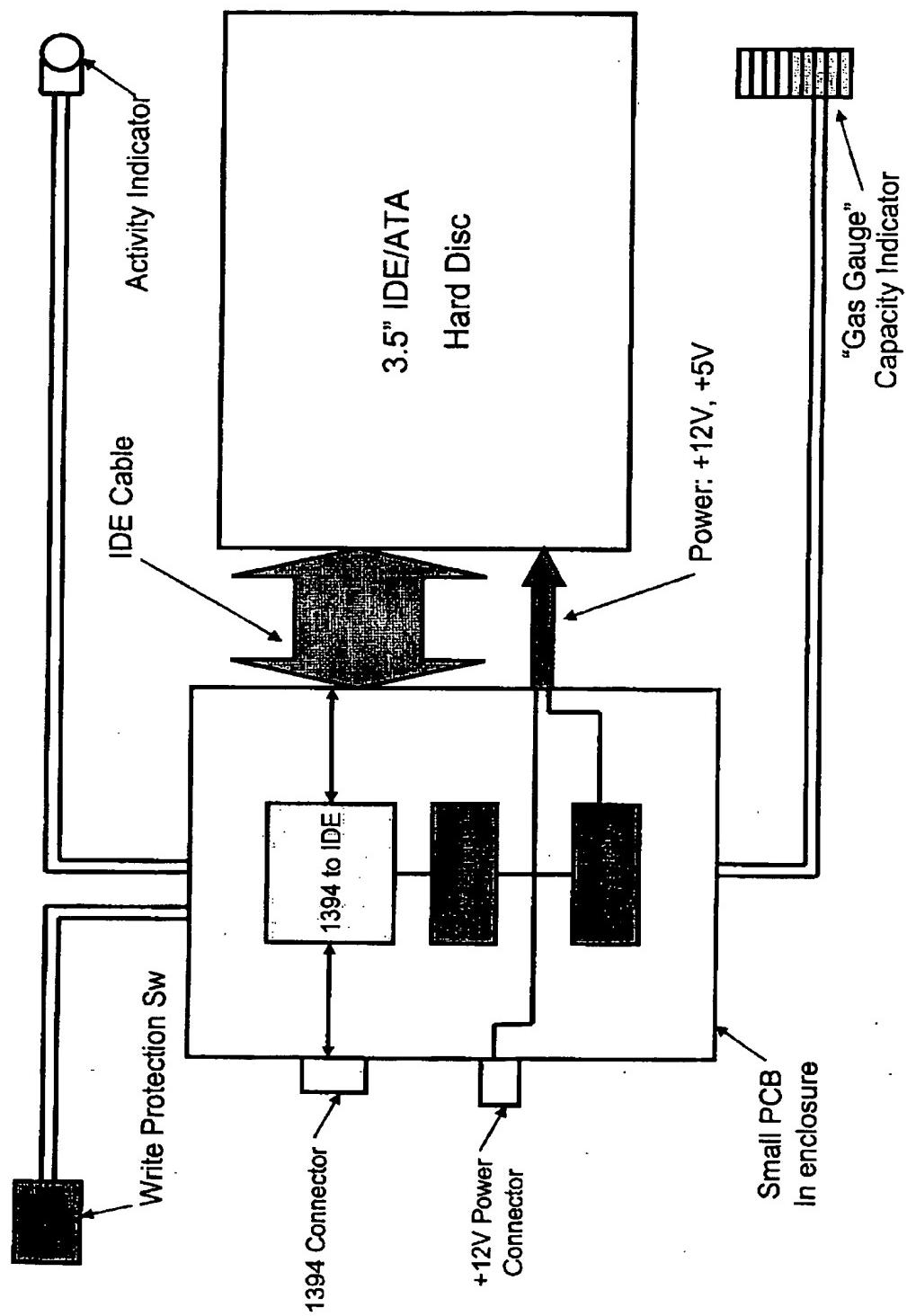


Exhibit 1

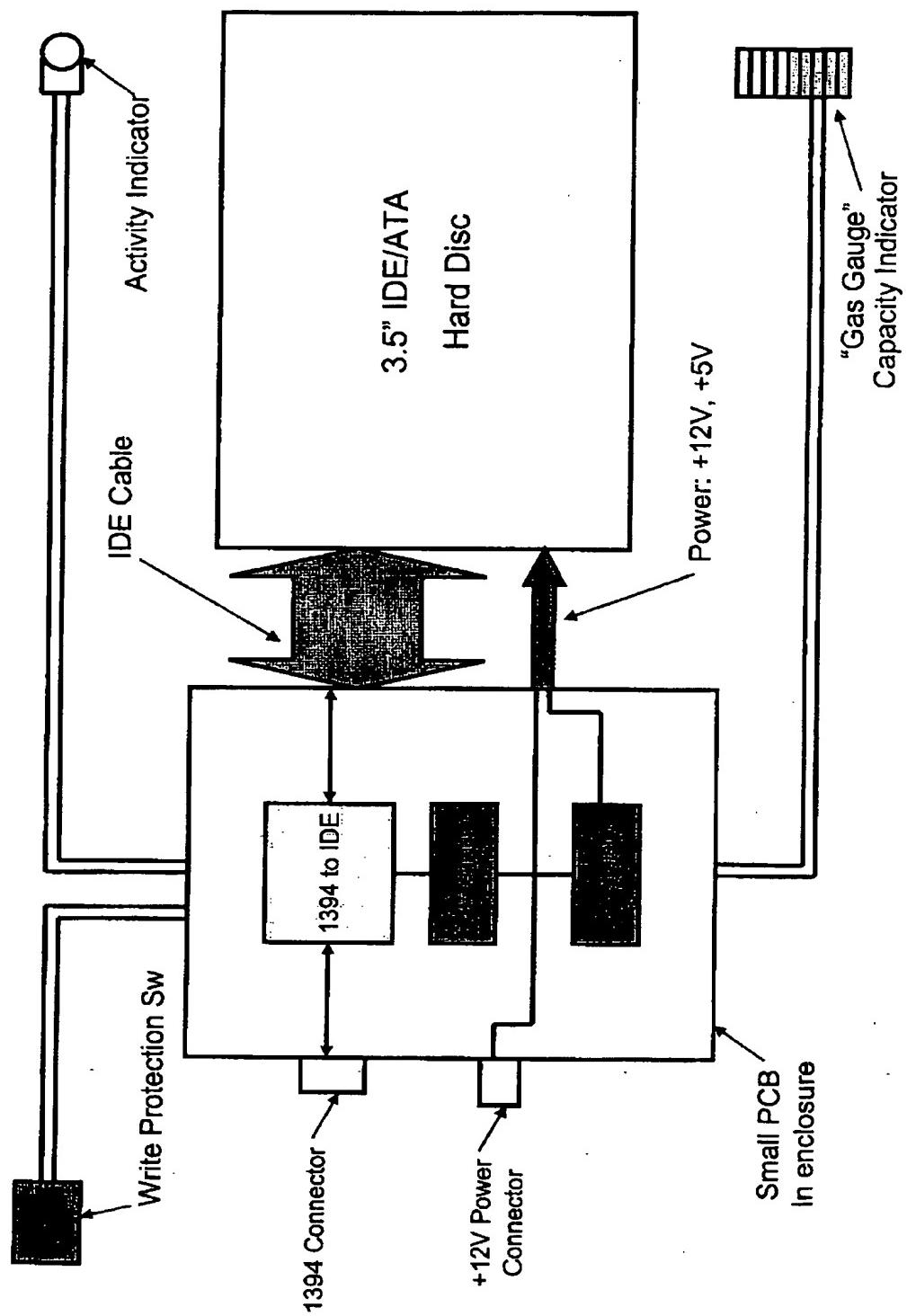


Exhibit 1

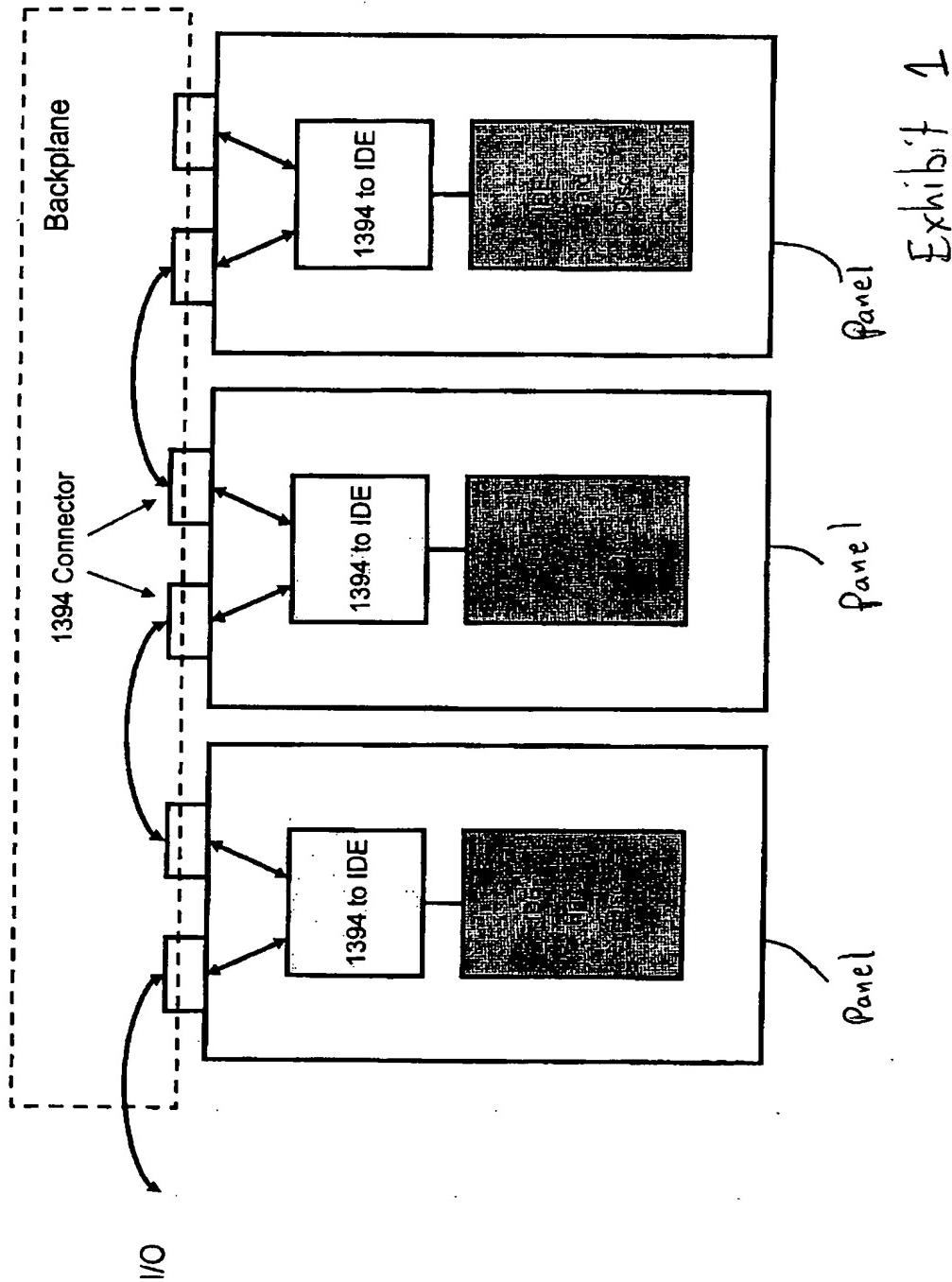


Exhibit 2

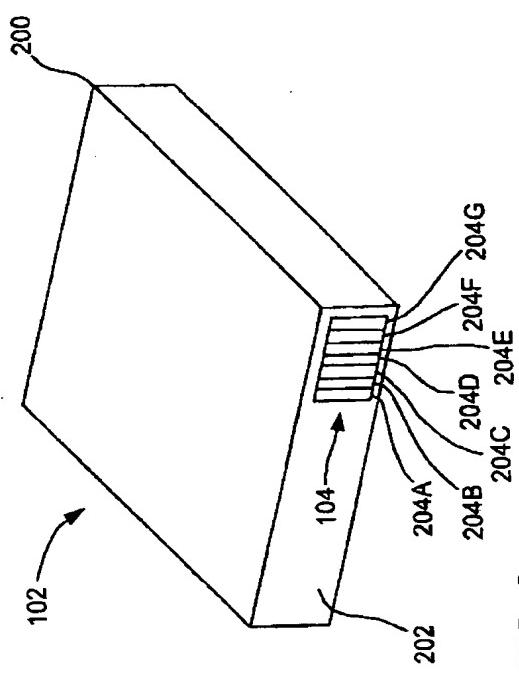


FIG. 2

-----Original Message-----

**From:** MASON,DAVE  
**Sent:** Thursday, September 25, 2003 3:08 PM  
**To:** 'bryans@graybeal.com'  
**Subject:** RFQ for New HP case  
**Importance:** High

Bryan,

Dave Mason requested that I forward the above referenced disclosure to you for drafting.

Please find attached:

- RFQ and letter of engagement
- Disclosure
- Supplemental procedures for new cases

Thank you.

Exhibit 3

**From:** Paul F. Rusyn  
**Sent:** Thursday, October 09, 2003 7:39 AM  
**To:**  
**Subject:** FW: HP Reference No. : Our Reference No. Patent Application

Gentlemen,

I am a patent attorney that has prepared a patent application on your above-referenced invention disclosure. A copy of the application is attached. Please review the application and provide me with your comments and revisions. I have already sent Tom Szolyga a copy for his review.

Sincerely,

Paul F. Rusyn

---Original Message---

**From:** Paul F. Rusyn  
**Sent:** Wednesday, October 08, 2003 4:37 PM  
**To:** 'SZOLYGA,TOM  
**Subject:** HP Reference No. : Our Reference No. ; Patent Application

Tom, Attached is your above-referenced patent application for review by you. Please contact me with questions and comments. Thanks. Paul

Exhibit 4

-----Original Message-----

**From:** CHEN,YANCY

**Sent:** Tuesday, October 14, 2003 1:59 PM

To: 'prusyn@graybeal.com'; MOTBOLIX JEAN-PAUL

RE: pattyng@graybar.com ; MOIROUX, JEAN-PAUL : Our Reference No. : SZOLYGA, TOM : Reference No.

; SZOLYGA, TOM

**; Patent Application**

Paul,

I agree

Waiting to see the revised draft soon.

## Thanks

Yancy Chen

-----Original Message-----

**From:** MOTROUX-JEAN-PAUL

Sent: Friday, October 10, 2003 4:33 PM

To: 'prysyn@graybeal.com'; MOTROUX JEAN-PAUL

**Subject:** RE: HP Reference No. Our Reference No. : CHEN.YANCY ; Patent Application

$R = f = -M$

: CHEN, YANCY

; Patent Application

Hi Paul,

I have talked to Tom about

### **the description**

Jean-Paul

## Exhibit 5

-----Original Message-----

**From:** Paul F. Rusyn  
**Sent:** Wednesday, October 29, 2003 5:01 PM  
**To:** 'SZOLYGA,TOM  
**Cc:** 'MOIROUX,JEAN-PAUL  
**Subject:** HP Reference No.

; 'CHEN,YANCY  
: Our Reference No. ; Revised Patent Application

Tom,

Thanks for your review of the revised application. Yancy and Jean-Paul, a revised version is attached for your review prior to executing the attached assignment and declaration documents.

Regards,

Paul

Exhibit 6

-----Original Message-----

**From:** SZOLYGA,TOM  
**Sent:** Friday, December 05, 2003 1:42 PM  
**To:** 'prusyn@graybeal.com'  
**Subject:** RE: Status

Hi Paul,

I fax'd the docs to your office and sent the originals via snail mail on Monday, 12/2.

Best Regards,  
Tom Szolyga

-----Original Message-----

**From:** Paul F. Rusyn  
**Sent:** Friday, December 05, 2003 11:33 AM  
**To:** 'SZOLYGA,TOM'  
**Cc:**  
**Subject:** Status

Tom

I just wanted to check on the status of the formal papers for your patent applications. All we need are the executed formal documents to file the applications

Exhibit 7